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12 | Attorneys for Petitioner

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

17 UNION OF AMERICAN PHYSICIANS  
AND DENTISTS.

No. 3:05-cv-03630-TBH

**JOINT STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE HEARING DATE  
DEADLINES FOR PRETRIAL MOTIONS**

**Petitioner.**

Y.

20 CALIFORNIA DEPARTMENT OF  
21 CORRECTIONS; JEANNE  
22 WOODFORD; RENEE KANAN, MD;  
DOES 1 THRU XX.

**23** | **Respondents.**

25 Petitioner Union of American Physicians and Dentists (“UAPD” or “Petitioner”) and  
26 Respondents California Department of Corrections, Jeanne Woodford, and Renee Kanan M.D.  
27 (“Respondents”) through their respective counsel, hereby enter into the following joint stipulation  
28 and respectfully request that the Court continue the deadlines currently set for (1) the last date for

a hearing on a pretrial motion and (2) the last day to file a motion noticing a hearing date.

## **RECITALS**

1. On June 19, 2006, the Court entered an Order for Pretrial Preparation. The Order provides a February 26, 2007 deadline to notice a hearing for a pretrial motion. Based on that deadline, the Court instructed that the deadline to file a pretrial motion would be January 22, 2007. (Or. at 2:17-2:25.);

2. This matter is related to another case before this court entitled, *Plata v. Schwarzenegger*, 3:01-cv-01351-TEH. On or about January 8, 2007, the Office of the Receiver in the *Plata* case, prepared a draft report and recommendation regarding the evaluation of physicians. The Receiver's draft report concluded that the QICM program, the program that is at issue in this case, is the only viable method for complying with *Plata* mandates;

3. In light of the Receiver's draft report, Petitioner and Respondents, have agreed to attempt to resolve this litigation, if possible, promptly through settlement to avoid incurring further time, expense, and judicial resources. Unfortunately, Petitioner's Executive Board does not meet until January 26, 2007, and therefore cannot approve or disapprove of any settlement before January 22, 2007, the deadline set by this Court to file a pretrial motion, including a motion summary judgment;

4. As a result, good cause exists in this case to continue the pretrial hearing and motion filing deadlines because the Receiver distributed his draft report on January 8, 2007, the inability of UAPD's Board to act upon the Receiver's draft report until at least January 26, 2007, and the parties' willingness to continue the dates set forth by this Court.

## **STIPULATION AND ORDER**

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY  
STIPULATED by and between Petitioner and Respondents, by and through their counsel of  
record, that:

1. All pretrial motions, except motions in limine, must be noticed for hearing no later than Monday, March 26, 2007.

2. Such motions must be filed at least 35 days in advance of the hearing date, or no later

1 than Monday February 19, 2007.

2 IT IS SO STIPULATED.

3 DATED: January 18, 2007

HANSON BRIDGETT MARCUS  
VLAHOS & RUDY, LLP

4 By: \_\_\_\_\_  
5

6 PAUL B. MELLO  
7 Attorneys for Respondents

8 DATED: January 18, 2007

DAVIS, COWELL BOWE, LLP

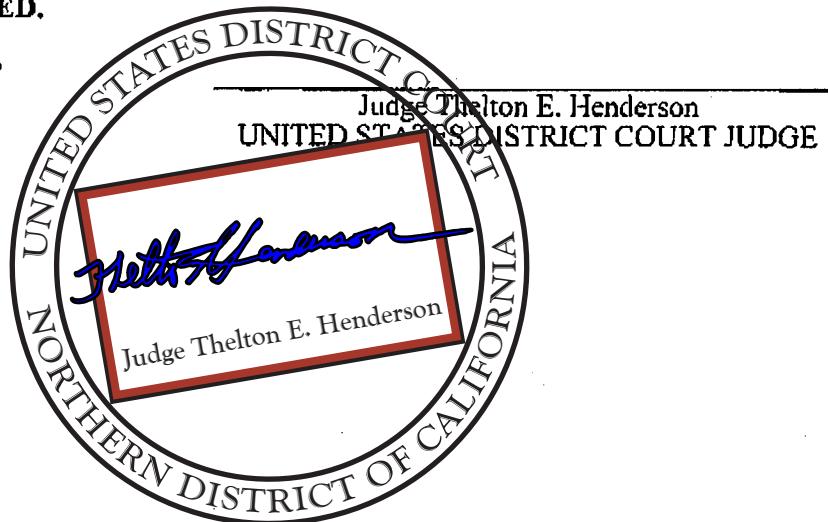
9 By: \_\_\_\_\_  
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11 PAUL L. MORE  
12 Attorneys for Petitioner

13 Based upon the foregoing Stipulation of the parties,

14 IT IS SO ORDERED.

15 Dated: January 22, 2007



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